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9/21/04

ORDINANCE NO. 2404

AN ORDINANCE OF THE CITY OF ISSAQUAH, WASHINGTON, ADOPTING BY REFERENCE SEVERAL AMENDMENTS TO THE COMPREHENSIVE PLAN AND ZONING MAP FOR THE CITY OF ISSAQUAH TO REVISE AND INCORPORATE THE URBAN TRAILS PLAN INTO THE TRANSPORTATION ELEMENT; TO ADD LANGUAGE REGARDING STATE AND REGIONAL LEVEL OF SERVICE STANDARDS AND METHODOLOGIES; TO REDESIGNATE/REZONE TWO PARCELS OF LAND IN RESPONSE TO A LOT LINE ADJUSTMENT; TO ADD A SUSTAINABILITY ACTION PLAN TO THE LAND USE ELEMENT; TO AMEND LAND USE POLICIES TO ENSURE CRITICAL AREAS REGULATIONS ARE BASED ON BEST AVAILABLE SCIENCE; TO AMEND THE LAND USE, UTILITIES AND PUBLIC SERVICES, AND CAPITAL FACILITIES ELEMENTS FOR CONSISTENCY WITH CURRENT CITY, COUNTY AND WATER QUALITY PLAN STANDARDS; TO AMEND CRITICAL AREAS DEFINITIONS TO ENSURE CONSISTENCY WITH WASHINGTON CRITICAL AREAS ASSISTANCE HANDBOOK; TO MAP ALL LAND TRANSPORTATION FACILITIES, SERVICES AND TRANSIT ALIGNMENTS; TO AMEND RESOURCE LANDS OBJECTIVE IN ACCORDANCE WITH STATE REGULATIONS; TO MAP EXISTING AND PROPERTY CAPITAL FACILITIES FOR FUTURE PLANNING; TO UPDATE THE CAPITAL IMPROVEMENT PLAN AND TRANSPORTATION IMPROVEMENT PROGRAM; TO ADD THE HIGHLANDS DRIVE AREA AS A POTENTIAL ANNEXATION AREA; TO UPDATE POPULATION NUMBERS IN THE LAND USE ELEMENT; TO CREATE THE CHECKLIST FOR CONSISTENCY WITH COUNTYWIDE POLICIES; TO UPDATE THE PARKS, RECREATION, TRAILS AND OPEN SPACE REPORT CARD; AND PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Growth Management Act gives authority to cities to update their comprehensive plans once per year in such a manner that all proposed amendments are considered by the governing body concurrently such that the governing body may evaluate their cumulative effect; and

WHEREAS, the schedule established by the Growth Management Act in RCW 36.70A.130(4) mandates that each city in Washington to take action to review and, if necessary, revise its comprehensive plan to ensure compliance with the Growth Management Act; and

WHEREAS, Issaquah's deadline to comply with said schedule is December 1, 2004; and

WHEREAS, the State Department of Community, Trade and Economic Development provided a "Comprehensive Plan Checklist: Technical Assistance Tool" to each jurisdiction to aid in compiling each jurisdiction's work plan to meet said schedule; and

WHEREAS, the City of Issaquah's Administration completed the Checklist to determine which comprehensive plan sections needed revisions and should be included in the 2004 Comprehensive Plan Amendment work plan; and

WHEREAS, in compliance with the Growth Management Act (36.70A.215), the City of Issaquah, through the 2002 King County Buildable Lands Evaluation Report, has determined actual density of housing development, and has determined that density to be consistent with the City's Comprehensive Plan; and

WHEREAS, the public review process for the proposed amendments included an Open House on February 12, 2004, to review all proposed 2004 Comprehensive Plan and Zoning Map amendments; a presentation on February 23, 2004, by the Planning Department of the Planning Policy Commission's recommended list of amendments to the Committee of the Whole Council; several workshops throughout the year 2004 on the proposed amendments; legal notice of the public hearing via website posting, publication and written notification to all property owners within 300 feet of site specific amendments; a public hearing on September 23, 2004, to review the proposed amendments and take public comments on potential new amendments; and

WHEREAS, all persons desiring to comment on the proposal were given a full and complete opportunity to be heard; and

WHEREAS, the Planning Policy Commission Findings of Fact, which are attached hereto as Attachment B, and recommended adoption of the proposed amendments contained therein, with the exception of the following proposals:

(1) a proposal to change the designation and zoning of the properties adjacent to the North SPAR, which was determined to be unnecessary;

(2) a proposal to develop a vision to integrate urban villages into the City, which was delayed for further study by the Planning Policy Commission; and

(3) a proposal to create an East Cougar Mountain Subarea Plan, which was scheduled as a work item for later consideration;

WHEREAS, the Administration reviewed the Findings of Fact and recommended adoption of the proposed amendments contained therein, with the exception of the following proposals:

(1) a proposal to change the designation and zoning of the properties adjacent to the North SPAR, which was determined to be unnecessary;

(2) a proposal to develop a vision to integrate urban villages into the City, which was delayed for further study by the Planning Policy Commission; and

(3) a proposal to create an East Cougar Mountain Subarea Plan, which was scheduled as a work item for later consideration;

WHEREAS, the City Council has reviewed these proposed amendments as contained in Attachments A1 through A15, concurs with the recommendation of the Administration ;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ISSAQUAH,
WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Transportation Element: Urban Trails Plan Update. The Transportation Element is hereby amended to incorporate the Trails Plan as the non-motorized component, as set forth on the attached Attachment A1, which is incorporated by this reference as fully as if herein set forth.

Section 2. Land Use Element: Rezone/Redesignate Parcels. The Land Use Element, Volume 1, is hereby amended to reflect the following rezones/redesignations as set forth on Attachment A2 which is attached hereto and incorporated herein by reference as if set forth in full:

- A. Rezone one parcel to Community Facilities-Open Space and redesignate it to Community Facilities; and
- B. Rezone one parcel to Single Family-Small Lot and redesignate it to Low Density Residential.

Section 3. Land Use Element: Sustainability Action Plan. A Sustainability Action Plan is hereby added to Volume 2 of the Land Use Element as set forth on Attachment A3 which is attached hereto and incorporated herein by reference as if set forth in full.

Section 4. Land Use Element: Best Available Science. The Land Use policies are hereby amended to use Best Available Science as a basis for all critical areas regulations, as set forth on Attachment A4 which is attached hereto and incorporated herein by reference as if set forth in full.

Section 5. Land Use, Utilities and Public Services, and Capital Facilities Elements: Stormwater Management Plan and Stormwater Manual. The Land Use, Utilities and Public Services, and Capital Facilities Elements are hereby amended for consistency with current

standards being used in the City, King County and the Puget Sound Action Team's 2000 Water Quality Plan, as set forth on Attachment A5 which is attached hereto and incorporated herein by reference as if set forth in full.

Section 6. Land Use and Utilities and Public Services Elements: Critical Areas.

In accordance with the Growth Management Act and to ensure consistency of definitions of various critical areas with the Washington State Department of Community, Trade and Economic Development *Critical Areas Assistance Handbook*, the Land Use Element, Volume 1, and Utilities and Public Services Element are amended as set forth on Attachment A6 which is attached hereto and incorporated herein by reference as if set forth in full.

Section 7. Transportation Element: Land Transportation Inventory. In

accordance with the Growth Management Act, the Transportation Element is amended to map all land transportation facilities, services and transit alignments for defining existing capital facilities and travel levels as a basis for future planning, as set forth on Attachment A7 which is attached hereto and incorporated herein by reference as if set forth in full.

Section 8. Land Use Element: Designating Resource Lands. Land Use

Objective L-2, regarding resource lands, is hereby amended in accordance with the Growth Management Act to require the identification and classification of mineral resource lands in accordance with WAC 365-190, Minimum Guidelines to Classify Agriculture, Forest, Mineral Lands and Critical Areas, as set forth on Attachment A8 which is attached hereto and incorporated herein by reference as if set forth in full.

Section 9. Capital Facilities Element: Capital Facilities Inventory. In

accordance with the Growth Management Act, the Capital Facilities Element is amended to map existing and proposed capital facilities, as set forth on Attachment A9 which is attached hereto

and incorporated herein by reference as if set forth in full.

Section 10. Capital Facilities, Transportation, and Parks, Recreation, Trails and Open Space Elements: Capital Improvement Plan/Transportation Improvement Projects Update. Some Capital Facilities policies, the Capital Improvement Plan Tables, Table T-5 to the Transportation Element, and sections of the Parks, Recreation, Trails and Open Space Element Volume 2 are amended to reflect the 2005-2010 Plans, as set forth on Attachment A10 which is attached hereto and incorporated herein by reference as if set forth in full

Section 11. Land Use Element: Potential Annexation Area. Certain policies in the Land Use Element, Volumes 1 and 2 and the Potential Annexation Map, are hereby amended to add the Highlands Drive Area as a Potential Annexation Area, as set forth on Attachment A11, which is attached hereto and incorporated herein by reference as if set forth in full.

Section 12. Land Use Element: Population Updates. Certain sections of the Land Use Element, Volumes 1 and 2, are hereby amended to incorporate population updates as set forth in Attachment A12, which is attached hereto and incorporated herein by reference as if set forth in full.

Section 13. Land Use Element: Countywide Consistency. The Land Use Element, Volume 2, is hereby amended to include a checklist to ensure consistency with countywide policies, as set forth in Attachment A13, which is attached hereto and incorporated herein by reference as if set forth in full.

Section 14. Parks Element: Report Card Update. The Parks Element is hereby amended to update the Parks, Recreation, Trails and Open Space Report Card, as set forth in Attachment A14, which is attached hereto and incorporated herein by reference as if set forth in full.

Section 15. Transportation Element Update. The Transportation Element is hereby amended in accordance with Growth Management Act provisions regarding state and regional level of service standards and methodologies, as set for in Attachment 15 which is attached hereto and incorporated herein by reference as if set forth in full.

Section 15. Ordinance to be transmitted to Department. Pursuant to RCW 36.70A.106, this Ordinance shall be transmitted to the Washington Department of Community, Trade, and Economic Development as required by law.

Section 16. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 17. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

Passed by the City Council of the City of Issaquah the 15th day of November, 2004.

Approved by the Mayor of the City of Issaquah the 16th day of November, 2004.

APPROVED:



AVA FRISINGER, MAYOR

ATTEST/AUTHENTICATED:


CHRISTINE EGGERS, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
VIKKI ORRICO

FILED WITH THE CITY CLERK: 11-5-2004
PASSED BY THE CITY COUNCIL: 11-15-2004
PUBLISHED: 11-24-2004
EFFECTIVE DATE: 11-29-2004
ORDINANCE NO. 2404
AGENDA BILL: 5230